

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

v.

DEVOS LTD. d/b/a GUARANTEED
RETURNS, et al.

:
:
: CRIMINAL ACTION
:
: NO. 14-574
:
:

ORDER

AND NOW, this 2nd day of March, 2017, upon consideration of Defendants' Motion For A Limiting Instruction That Puffery Is Not Actionable As Mail Fraud Or Wire Fraud (Doc. 237), the Government's Opposition To Defendants' Motion For A Limiting Instruction Regarding Puffery (Doc. 246), and Oral Argument on the Motion held on March 1, 2017, IT IS HEREBY ORDERED AND DECREED that the Motion is DENIED.¹

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, C.J.

¹ Consistent with the Court's instruction following Oral Argument, Defendants are permitted to submit a proposed jury instruction relating to the topic of puffery for use during the final charging of the jury. To the extent that Defendants seek such a jury instruction, Defendants shall confer with the Government and determine whether the parties can agree to the proper form of the jury instruction.